Wednesday, March 23, 2011

Meeting

The Local Liquor Licensing Authority of the City of Golden, County of Jefferson, State of Colorado, met in the Council Chambers, City Hall, at 911 10th Street, Golden, Colorado at the hour of 2:30 p.m.

Hearing Officer Kendra L. Carberry, presiding, called the meeting to order. Deputy City Clerk Andrea L. Banks and Assistant City Attorney Mary Lynn Benham were also present.

Approval of Minutes of February 23, 2011

The Authority approved the minutes of February 23, 2011.

Public Hearing - New Hotel and Restaurant Liquor License - Empanada Express Inc., 2600 East Street, Unit G, Golden, CO 80401

Hearing Officer Carberry called the public hearing to order.

Spero Leon, attorney, appeared on behalf of the applicant.

Hearing Officer Carberry invited any interested parties in the audience to comment on the application, provided that they are an adult residing for at least six months in the relevant neighborhood; or they are an owner or manager of a business located in the relevant neighborhood.

Henry Tiberi, 920 9th St., property owner in the designated neighborhood, was sworn in. He described Ms. Campos as a businessperson of good character and an asset to the community, who runs a nice restaurant with good food that would benefit from being able to serve alcohol with meals. He stated he did not feel there would be a negative impact on the area as it related to the restaurant being near Golden High School, and noted it is a nice addition to the neighborhood.

John Chandler, 2309 Cheyenne St., and Geri Myers, 2101 Cheyenne St., were each sworn in and stated support for approval of the license, as well as noting the unique type of cuisine that Ms. Campos serves, which would pair well with cocktails. They did not believe there would be any alcohol service concerns involving Golden High School students, since they do not frequent the restaurant.

Carol Johnson, petition circulator for Esquire Petitioning Services, 2792 S. Race Street, was sworn in and described the procedures for circulating the petitions. Residents and business owners were informed of the public hearing. It was noted that Golden High School Principal Michael Murphy had signed a document opposing the liquor license on the basis of the proximity of the restaurant to the school.
Isabel Campos, owner, was sworn in and described her Venezuelan restaurant business, noting she has been running the establishment since 2008. She stated that she attended an alcohol awareness class, as will her employee. She noted that her customers have asked for alcohol service. Ms. Campos also explained the location of a storage area and service counter not previously shown or labeled on her premise diagram.

Mr. Leon stated that the restaurant, according to measurements taken by the applicant, was beyond 500 feet from Golden High School. Hearing Officer Carberry noted this information and that no other evidence had been presented to the contrary. Therefore the licensed premises would be in compliance with Section 4.84.020 of the Golden Municipal Code.

Hearing Officer Carberry closed the public hearing and reviewed the applicant’s request.

The Local Licensing Authority of the City of Golden, Colorado, based on the evidence presented at the public hearing, adopted the following Findings and Conclusions:

1. That the Local Licensing Authority finds that the applicant is qualified to hold a Retail Liquor Store License.

2. That the Local Licensing Authority finds that the needs of the neighborhood are not currently being satisfied.

3. That the Local Licensing Authority finds that the inhabitants of the relevant neighborhood desire that this license be granted.

Based on the foregoing Findings and Conclusions, Kendra Carberry as Hearing Officer for the Local Licensing Authority for the City of Golden, Colorado, granted approval for the issuance of the license herein applied for.

Public Hearing - New Hotel and Restaurant Liquor License - Golden Skillet, LLC d/b/a Golden Skillet LLC, 807 13th Street, Golden, CO 80401

Hearing Officer Carberry called the public hearing to order.

Elizabeth Weber, owner, was sworn in and available to answer questions. She stated that Golden Skillet is a breakfast and lunch establishment. She noted that customers are asking for alcohol service, and she has attended alcohol training, as will employees. She explained that her husband Terry works in the kitchen, overseeing kitchen staff and Elizabeth handles all other management of the restaurant. She noted that her husband submitted an amended Individual History Record to add information that had been omitted in regard to an incident from 2003 where he was cited for disorderly conduct and successfully completed anger management classes.

Hearing Officer Carberry noted the applicant’s current lease expires soon and instructed the applicant that a renewed lease would need to be submitted that would cover the period of the liquor license before the liquor license could be issued. The applicant acknowledged the
request and that she would obtain a renewed lease from the landlord.

Hearing Officer Carberry invited any interested parties in the audience to comment on the application, provided that they are an adult residing for at least six months in the relevant neighborhood; or they are an owner or manager of a business located in the relevant neighborhood.

Carol Johnson, petition circulator for Esquire Petitioning Services, 2792 S. Race Street, was sworn in and described the procedures for circulating the petitions. Residents and business owners were informed of the public hearing.

Hearing Officer Carberry closed the public hearing and reviewed the applicant’s request.

The Local Licensing Authority of the City of Golden, Colorado, based on the evidence presented at the public hearing, adopted the following Findings and Conclusions:

1. That the Local Licensing Authority finds that the applicant is qualified to hold a Hotel and Restaurant Liquor License.

2. That the Local Licensing Authority finds that the needs of the neighborhood are not currently being satisfied.

3. That the Local Licensing Authority finds that the inhabitants of the relevant neighborhood desire that this license be granted.

Based on the foregoing Findings and Conclusions, Kendra Carberry as Hearing Officer for the Local Licensing Authority for the City of Golden, Colorado, granted approval for the issuance of the license herein applied for conditioned upon an executed renewed lease being submitted to the City Clerk’s office.

Other Matters

City Attorney Benham stated that Section 4.84.020 of the Golden Municipal Code will need to be reviewed for changes to language that refers to City Council making a finding, when instead it should refer to the Authority making a specific finding as to the impact of granting a hotel and restaurant liquor license on a school, college, university or seminary that is within 500 feet of the proposed licensed establishment. She stated that recommendations for amending the code would be brought before the Authority and City Council.

Adjournment

There being no further business to come before the Authority, the meeting adjourned at 3:40 p.m.
Susan M. Brooks, MMC
City Clerk

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Andrea L. Banks, Deputy City Clerk
Secretary to the Local Licensing Authority

Approved by Licensing Authority:

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Kendra L. Carberry
Hearing Officer